

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 22-252 (MSG)
)	
MODERNA, INC. and MODERNATX, INC.)	
)	
Defendants.)	
<hr/> MODERNA, INC. and MODERNATX, INC.,)	
)	
Counterclaim-Plaintiffs,)	
)	
v.)	
)	
ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Counterclaim-Defendants.)	

STIPULATION TO EXTEND TIME

WHEREAS, on June 20, 2024, the Court granted Plaintiffs leave to extend the discovery period to July 17, 2024 solely to permit Plaintiffs to serve subpoenas on various third-party manufacturers (D.I. 355);

WHEREAS, Plaintiffs subsequently forwarded Letters of Request directed to foreign manufacturers to the appropriate authorities in Spain and Italy;

WHEREAS, pursuant to the prior stipulations between the parties, the deadline for fact discovery related to these subpoenas and Letters of Request is currently November 20, 2024, following an extension filed on October 15, 2024 (D.I. 390 & 409);

WHEREAS, Plaintiffs expect to complete fact discovery related to the domestic subpoenas by the November 20, 2024 deadline;

WHEREAS, the Letters of Request have been acknowledged by the appropriate foreign authorities but the foreign manufacturers have yet to respond; and

WHEREAS, Pursuant to D. Del. LR 16.4, counsel certifies that copies of this stipulation have been sent to their respective clients;

NOW THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, that the deadline for the completion of fact discovery relating to the Letters of Request to the foreign third-party manufacturers is extended through and including December 20, 2024.

SHAW KELLER LLP

/s/ Nathan R. Hoeschen

John W. Shaw (#3362)
Karen E. Keller (#4489)
Nathan R. Hoeschen (#6232)
I.M. Pei Building
1105 North Market Street, 12th Floor
Wilmington, DE 19801
(302) 298-0700
jshaw@shawkeller.com
kkeller@shawkeller.com
nhoeschen@shawkeller.com

Attorney for Plaintiffs

Dated: November 19, 2024

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Travis J. Murray

Brian P. Egan (#6227)
Travis J. Murray (#6882)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
began@morrisnichols.com
tmurray@morrisnichols.com

Attorneys for Defendants

IT IS SO ORDERED this ____ day of November, 2024,

Hon. Mitchell S. Goldberg